The Honorable John C. Coughenour 1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON 8 AT SEATTLE 9 RICHARD SPENCER, individually and on behalf of all others similarly situated, 10 No. 2:22-cv-01123-JCC Plaintiff, 11 THIRD STIPULATED MOTION AND [PROPOSED] ORDER v. 12 EXTENDING DEADLINE FOR STARBUCKS CORPORATION, DEFENDANT TO RESPOND TO 13 **COMPLAINT** Defendant. 14 Note on Motion Calendar: October 17, 2022 15 16 17 STIPULATED MOTION 18 The parties, by and through their attorneys of record, respectfully request that the Court 19 enter the proposed Order set forth below, which further extends the deadline for Defendant to 20 answer or otherwise respond to the Complaint, as the parties are discussing alternatives to 21 litigation. 22 In support of this request, the parties represent the following to the Court: 23 1. Earlier Defendant requested, and Plaintiff agreed, to extend the time for 24 Defendant to answer or otherwise respond to the Complaint to allow Defendant time to investigate the Complaint allegations. The parties therefore filed a stipulated motion and 25 proposed order to extend time for Defendant to answer until September 27, 2022, which the 26 27 Court granted. Dkt. 14. Davis Wright Tremaine LLP

THIRD STIPULATED MOTION AND [PROPOSED] ORDER EXTENDING DEADLINE (2:22-ev-01123-JCC) - 1

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- 2. The parties filed a second stipulated motion and proposed order to extend time for Defendant to answer until October 18, 2022, which the Court granted. Dkt. 16.
- 3. On October 14, 2022, in order to continue their discussions on possible alternatives to litigation, the parties agreed to stipulate to extend until November 8, 2022, the deadline for Defendant to answer or otherwise respond to the Complaint.
- 4. To conserve resources of the parties and the Court, and to allow the parties to focus their efforts on possible alternatives to litigation, the parties have agreed, and respectfully request the Court, to further extend the deadline for Defendant to answer or otherwise respond to the Complaint until November 8, 2022. This is the third request to extend Defendant's deadline to answer or otherwise respond to the Complaint.
- 5. Based on the foregoing the parties stipulate, subject to Court approval, as follows and jointly request that the Court enter the following Order approving that stipulation: the deadline for Defendant to answer or otherwise respond to the Complaint should be extended to November 8, 2022.

Stipulated to and respectfully submitted this 17th day of October, 2022, by:

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CARSON NOEL PLLC 1 Attorneys for Plaintiff 2 By s/ Wright A. Noel Wright A. Noel, WSBA #25264 3 20 Sixth Avenue NE 4 Issaquah, WA 98027 Telephone: (425) 837-4717 5 Facsimile: (425) 837-5396 E-mail: wright@carsonnoel.com 6 7 Philip L. Fraietta (admitted *pro hac vice*) 8 Julian C. Diamond (admitted *pro hac vice*) Matthew A. Girardi (admitted *pro hac vice*) 9 BURSOR & FISHER, P.A. 888 Seventh Avenue, Third Floor 10 New York, NY 10019 Telephone: (646) 837-7150 11 Facsimile: (212) 9899163 12 Email: pfraietta@bursor.com jdiamond@bursor.com 13 mgirardi@bursor.com 14 15 16 **ORDER** So ORDERED this 18th day of October 2022. 17 18 19 20 John C. Coughenour 21 UNITED STATES DISTRICT JUDGE 22 23 24 25 26 27

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